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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION THREE

THE PEOPLE,

Plaintiff and Respondent,

v.

DARRELL E. FISCHER,

Defendant and Appellant.

B257713

(Los Angeles County
Super. Ct. No. MA058765)

APPEAL from a judgment of the Superior Court of Los Angeles County,
Charles Chung, Judge. Affirmed.

Linn Davis, under appointment by the Court of Appeal, for Defendant
and Appellant.

No appearance for Plaintiff and Respondent.

Following a no contest plea, defendant and appellant Darrell E. Fischer was convicted of grand theft auto and possession of methamphetamine for sale (Pen. Code, § 487, subd. (d)(1); Health & Saf. Code, § 11378). Fischer was sentenced to a prison term of ten years. We affirm.

Fischer was originally charged with four counts of grand theft auto, one count of vehicle burglary (Pen. Code, § 459), and one count of possessing methamphetamine for sale. He was also charged with enhancements for a prior serious felony conviction under the “Three Strikes” law, having served three prior prison terms, and having previously been convicted of a drug offense (Pen. Code, §§ 667, subds. (b)-(i), 667.5; Health & Saf. Code, § 11370.2, subd. (c)). On March 5, 2013, Fischer accepted a plea agreement under which he would plead no contest to the drug charge and one count of grand theft auto. His sentence would be calculated as follows: three years for the drug charge, doubled under the Three Strikes law, plus three years for the prior drug offense enhancement and one year as a prior prison term enhancement, for a total of ten years in state prison (a 16-month term on the grand theft auto conviction would run concurrent). The remaining counts would be dismissed, a restitution fine of between \$200 and \$10,000 would be imposed, and Fischer would remain responsible for direct victim restitution, even on the dismissed counts. In addition, his probation on a former conviction would be terminated.

On March 26, 2013, the trial court sentenced Fischer according to the terms of the plea agreement, a sentence which included a \$2,800 restitution fine. Fischer did not file a notice of appeal at that time, but on November 25, 2014, this court ordered the clerk of the superior court to deem a late notice of appeal as timely filed. We appointed counsel to represent Fischer. After reviewing the record, appellate counsel filed an opening brief requesting this court to independently review the record pursuant to *People v. Wende* (1979) 25 Cal.3d 436, 441. We directed counsel to send the record on appeal and a copy of the opening brief to Fischer, and notified him that he had 30 days within which to personally submit any contentions or issues that he wished us to consider. Fischer has not filed a supplemental brief.

We have examined the entire record and are satisfied that defense counsel has fully complied with counsel's responsibilities and that no arguable appellate issue exists. (*Smith v. Robbins* (2000) 528 U.S. 259, 278 [120 S.Ct. 746]; *People v. Kelly* (2006) 40 Cal.4th 106, 110.)

DISPOSITION

The judgment is affirmed.

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EDMON, P. J.

We concur:

KITCHING, J.

ALDRICH, J.